

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIAN J. LOZANO,

1:05-CV-0552 AWI DLB P

Plaintiff,

vs.

HUBNER, et al.,

ORDER TO SUBMIT CERTIFIED  
COPY OF PRISON TRUST ACCOUNT  
STATEMENT **OR** PAY FILING FEE

Defendants.

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On June 22, 2005 the court requested plaintiff submit a completed application to proceed in forma pauperis, together with a certified copy of his trust account statement. On July 13, 2005, plaintiff did file a completed application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has not, however, filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a certified copy of his trust account statement in support of his request to proceed in forma pauperis, **or** pay the \$250.00 filing fee.

1 In accordance with the above, IT IS HEREBY ORDERED that within thirty days  
2 of the date of service of this order, plaintiff shall submit a certified copy of his prison trust  
3 account statement for the six month period immediately preceding the filing of the complaint, or  
4 in the alternative, pay the \$250.00 filing fee for this action. Failure to comply with this order will  
5 result in a recommendation that this action be dismissed.

6  
7 IT IS SO ORDERED.

8 **Dated: July 25, 2005**  
9 3c0hj8

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE